

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:10CR3017
)	
v.)	MEMORANDUM AND ORDER
)	
TORRENCE TERRY,)	
)	
Defendant.)	

The defendant has moved for a continuance of the pretrial motion deadline, which was set for March 25, 2010. Filing No. [17](#). Defense counsel explains additional time is needed to complete discovery, and thereafter to review, research, prepare and submit any necessary pretrial motions. Counsel for the government does not oppose the defendant's motion. The court finds the defendant's motion should be granted.

IT IS ORDERED:

- 1) Defendant's unopposed motion to continue, (filing no. [17](#)), is granted and defendant's pretrial motions and briefs shall be filed on or before April 26, 2010.
- 2) The ends of justice will be served by granting defendant's motion to continue the pretrial motion deadline, and outweigh the interests of the public and the defendant in a speedy trial, and the additional time arising as a result of the granting of the motion, the time between March 25, 2010 and April 26, 2010, shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, for the reason that the parties require additional time to adequately prepare the case, taking into consideration due diligence of counsel, the novelty and complexity of the case, and the fact that the failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).
- 3) Trial of this case is continued pending resolution of any pretrial motions filed.

March 26, 2010.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge